

REMARKS

On page 2 of the Office Action, the Examiner required restriction of the application. Applicant has elected to prosecute Group I and Figure 1d, drawn to a wiper drive. The claims readable on this election are claims 1, 2, 4, 6, 7, 10, 11, 16, and 17.

On page 2 of the Office Action, the Examiner stated the subject matter of claim 1 is known. For the reasons stated herein, Applicant respectfully traverses the rejection.

German patent 10011842 to Ostrowski discloses a wiper drive (Fig. 4) comprised of a housing (8) on support frame (1), a reversing motor (2) and gear mechanism (3). A swaying element (4) is coupled to an output shaft of the gear mechanism and is pivoted between removably mounted mechanical stops (11). Such stops can be moved or removed to enable the swaying element to be moved from a first mounting position to a second mounting position.

Applicant's elected claim 1 requires that at least one stop is designed such that it can be removed and/or moved in such a way that the swaying element when the wiper drive is mounted on a support frame, can be moved from a first mounting position, which lies outside the pivoting range, into the pivoting range without being obstructed by the stop. The Ostrowski reference fails to teach of such feature. Moreover, if one were to remove the stops (11) of Ostrowski as suggested by the Examiner, the wiper would not work as intended.

For all the foregoing reasons, Applicant believes that the subject matter of claim 1 was not known.

Applicant is filing concurrently under separate cover a request for a one month extension of time.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required by this paper, or to credit any

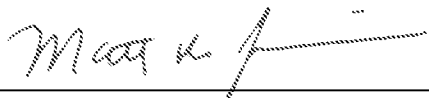
Response to Office Action Mailed April 30, 2009
Examiner: Gary K. Graham
Serial No. 10/538,084
Docket: VAL 203 P2

overpayment, to Deposit Account No. 50-1287. Applicants hereby provide a general request for any extension of time which may be required at any time during the prosecution of the application. The Commissioner is also authorized to charge any fees which have not been previously paid for by check and which are required during the prosecution of this application to Deposit Account No. 50-1287.

If the Examiner has any questions regarding this election, he is invited to telephone the undersigned attorney.

Favorable action on the merits of the application is respectfully requested.

Respectfully submitted,
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